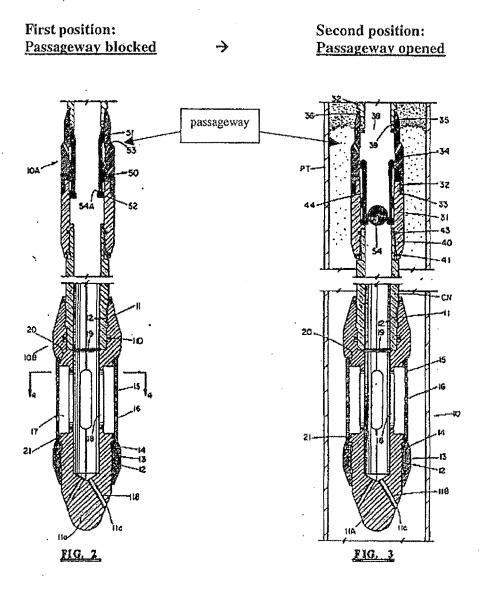
Case 6:07-cv-00559-JDL Document 190-10 Filed 07/30/09 Page 1 of 28 PageID #: 5609

EXHIBIT 5
PART 3

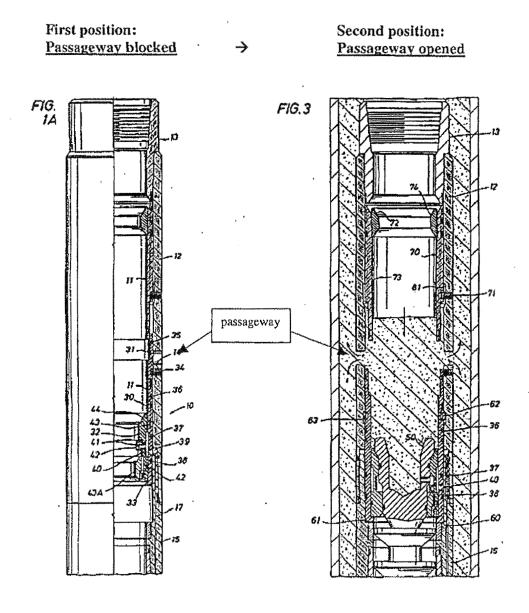
Prior Art Reference (15)—"Murray" (Ex. X)

Prior Art Reference (15) discloses a horizontal well circulation tool comprising an inner tubular member located within an outer tubular member. The outer tubular member has upper ports or passageways. The inner tubular member is moveable to open the upper ports.



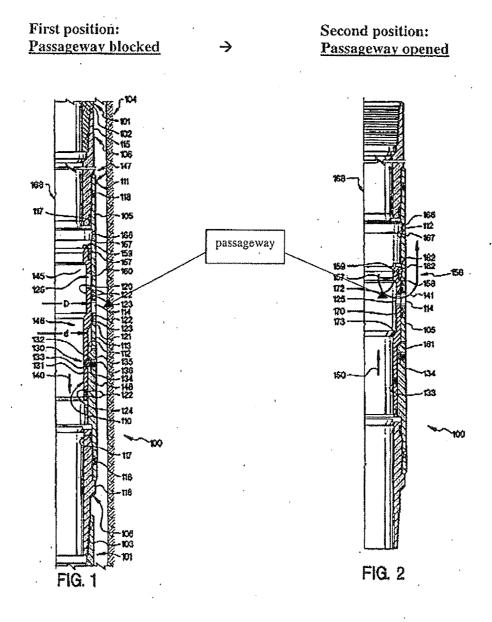
Prior Art Reference (16)—"Coone et al." (Ex. Y)

Prior Art Reference (16) discloses a cementing apparatus and method comprising inner tubular member(s) located within an outer tubular member. The outer tubular member has upper port(s) or passageway(s). A lower inner tubular member is moveable to open the upper ports for cementing.



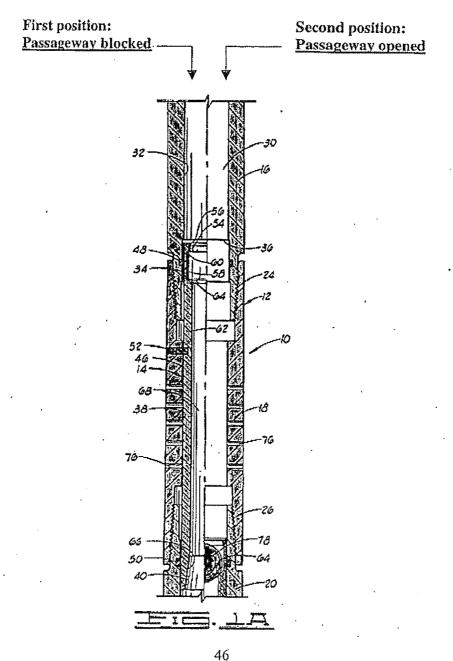
Prior Art Reference (17)—"Ehlinger et al." (Ex. Z)

Prior Art Reference (17), which shares a named inventor with the '336 patent, discloses an apparatus for cementing a casing string comprising an inner tubular member located within an outer tubular member. The outer tubular member has upper port(s) or passageway(s). The inner tubular member is moveable to open the upper ports for cementing.



Prior Art Reference (18)-"Surjaatmadja et al." (Ex. AA)

Prior Art Reference (18) discloses a surface switchable down-jet/side-jet apparatus comprising an inner tubular member located within an outer tubular member. The outer tubular member has upper port(s) or passageway(s). The inner tubular member is moveable to open the upper ports.



Request for Reexamination of U.S. Patent No. 6,679,336 Atty. Ref.: 13137,0230.RXUS

The disclosures of Prior Art References (14) through (18) disclose the essential elements of the '336 patent, particularly of claim 4. In view of Prior Art References (1) through (7), Prior Art References (14) through (18) render claims 1-7, 14-18, and/or 33-54 obvious and, therefore, they should be cancelled from the '336 patent.

B. Application of the Cited References to the Claims

The pertinence and application of the cited references may be best understood by referring to the following claim chart. The chart (TABLE) identifies with a check mark (" \checkmark ") each limitation that is found in the cited references. As will be readily appreciated from the graphic presentation, each of the cited references, alone or in combination, presents substantial new questions of patentability with respect to claims 1-7, 14-18, and 33-54 of the '336 patent. In reviewing the following information, the Examiner respectfully is reminded that the claims are not entitled to any presumption of validity whatsoever but are to be given their broadest reasonable interpretation consistent with the specification (without reading any limitations in the specification into the claims). See MPEP § 2258(I)(G) (citing In re Etter, 756 F.2d 852 (Fed. Cir. 1985)); In re Yamamoto, 740 F.2d 1569 (Fed. Cir. 1984)).

TABLE

		-			PRIO	PRIOR ART REFERENCES	EFEREN	CES				
			Printed P	Printed Publications					Ps	Patente		
CLAIM LIMITATION	(1)-(2) Head	(3) Baker	(4)	(5) Taylor	(9) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb	(11)-(12) Allamon	(13) Watkins	(14)-
	et al.			Made	<u></u>			•	et al.	et al.	et al.	
					CL	CLAIMS I THROUGH 7	ROUGH	7				
1. Float collar/shoe equipment for use in lowering a tubular string into a wellbore, said equipment comprising:		Andrian Andreas and Andreas			Preambl	Preamble is not a claim limitation.	claim limi	tation.				
an outer tubular member having an open lower end which opens into the wellbore to permit flow of fluid into or out of the tubular string bore:	>	7	7	. >	1	7	7	700	7	>	7	>
an inner tubular member moveable between												
a first position and a second position relative to the stationary outer tubular, wherein said inner tubular member is within said outer tubular member in said first position;	>	>	` <u>~</u>	7	1	>	<i>`</i>	>	>	>	>	
one or more valves positioned between said outer tubular member and said inner tubular member when said inner tubular member is in said first position; and	>	>	7	7	>	7	>		7	. >	7	
said one or more valves being insulated from fluid flow in said first position and being selectively engageable with fluid flow in said second position.	1	1	>	>	>	>	>		*	>	>	
2. Float collar/shoe equipment of claim 1, further comprising: one or more valve seats positioned between said outer tubular member and said inner tubular member.	1	7	>	-	>	>	>	7	>	>	>	
3. Float collar/shoe equipment of claim 2, wherein said inner tubular member is moveable with respect to said outer tubular member from said first position to a second position for uncovering said valves and said valve seats.	>	1	>	7	>	>	7		>	>	>	

WDE 0013199

TABLE

					PRI	OR ART F	EFEREN	CES				
]	Printed P	ublications	Š	***************************************			Pa	tents		
CLAIM LIMITATION	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holdea	(9) Moyes	(10) Leeb et al.	(11)-(12) Aliamon et al.		(14)- (18)
4. Float collar/shoe equipment of claim 1, wherein said outer tubular member defines one or more passageways therethrough which are blocked by said inner tubular member in said first position, said one or more passageways being opened to permit fluid flow from within said tubular string to outside of said tubular string when said inner tubular member is moved from said first position to a second position.			an Salah dan merupakan dan sebagai dan						1			√
5. Float collar/shoe equipment of claim 1, further comprising a seat secured to said inner tubular member for receiving a drop member.	1	1	1	1	1	./	1		1	1		V
 Float collar/shoe equipment of claim 1, wherein said one or more valves comprises a plurality of flapper valves. 	1	V	√	1	. 1			1	1	1		
7. Float collar/shoe equipment of claim 1, wherein said one or more valves are held in an open position when said inner tubular member is in said first position.	1	1	√	1	√	1	√ ·			1	1	

TABLI

					PRIC	PRIOR ART REFERENCES	EFEREN	CES	***************************************			
			Printed P	Printed Publications					Pai	Patents	MANUFACTURE OF THE PARTY OF THE	
CLAIM LIMITATION	(1)-(2)	(3)	(4)	(5)	(9)	(3)	(8)	6)	(10)	(11)-(12)	(13)	(14)-
	Head	Baker	BP	Taylor	HPI	Trico	Holden	Moyes	Leeb	Allamon	Watkins	(18)
	et ai.			Made			-		et al.	et al.	et al.	,
					B	CLAIMS 14 THROUGH 18	HROUGH	18				
14. A method for completing a well operable			-						***************************************			
for use in lowering a minular string into a												
wellbore said tubular string having an incide					ć							
and an outside external to said inside said					rream	rreamble is not a ciaim limitation.	ciaim iimii	ation.				
method comprising:												
sealing off one or more valves from fluid	,	,										***************************************
flow through said tubular string such that	>	\ <u></u>	-	\ <u></u>	1	\	\	1		`	`	
said valves are held in an open position;		>-	>	>-	>	>	>	<u>~</u>		>	<u>></u>	
selectively uncovering said valves for	_											
controlling fluid flow through said tubular	>	>	-	`	`	1	`.		``	`	``	
string;		•	.	bs.	>	L	>		*	>	>	
providing an inner tubular member moveable	1											
between a first position and a second	>	>	`~	<u> </u>	>	-	\	`.	\ <u>`</u>	\		1
position; and		•	· .	*	b	.	>	>	>	>> -	· >>	>
providing an outer tubular member having an	•										-	
open lower end which opens into said		,	• •									
wellbore to permit flow of fluid into or out	`	,	, ,	,					`			20-1-20-00-00
of said bore wherein said moveable inner	>	>	\r	\ \	\	\	`.		\ <u></u>	\	1	_
tubular member is mounted to block fluid			Na .	>	> .	>	>		•	~	>	>
flow through said open lower end in said		:		• •								
second position.		,		:						,		- All Horacons
15. The method of claim 14, wherein said			_								,	
step of selectively uncovering further	>	1		\	`	`	,		`	•		
comprises dropping a member into said	•.	•	~		>	>	7		>	>		· ·
tubular string.	•			,	*****					****		
		1									-	

TABL

					PRIC	OR ART	PRIOR ART REFERENCES	CES			AT DESCRIPTION OF LAND	
			Printed P	Printed Publications					Pat	Patents		
CLAIM LIMITATION	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)-
16. The method of claim 14, further comprising: selectively closing one or more passageways between said inside of said tubular string and said outside of said tubular	1	1	>	>	>	>	7		>	>	>	>
17. The method of claim 14, wherein said step				1.	Pream	lo ic not a	Preamble is not a claim limitation	10,100				
of selectively uncovering further comprises:						n 1011 (1 31/	CHANGE ANTE	tanon.				erreza
a drop member mounted adjacent to said inner tubular member,			7			7		-		>		
said drop member being operable in response to fluid pressure for engaging said inner tubular member; and	>	1	>	>	>	1	1	ż	7	>		
utilizing a fluid pressure acting on said drop member to engage said inner tubular member.	<i>></i>	>	>	7	>	7	>		>	>		
18. The method of claim 14, wherein said step of selectively uncovering further comprises:					Preamb	te is not a	Preamble is not a claim limitation.	tation.		***		
a drop member mounted adjacent to said inner tubular member,	-		7			1				7		
said drop member being operable in response to fluid pressure for engaging said inner tubular member;	>	7	>	>	7	>	7		>	>		
providing at least one release member, wherein said release member is breakable in response to a selected fluid pressure;	1	7	>	>	7	>	1	-		>		
utilizing said selected fluid pressure acting on said drop member to break said release member, wherein said drop member is seated in the inner tubular member; and	7	>	>	>	>	>	>			>		
utilizing a second fluid pressure acting on said drop member to engage said inner tubular	7	>	>	7	7	1	7			>		

WDE 0013202

TABLE

					PRI	OR ART	REFEREN	ICES				y
Season of the se			Printed P	ublications	3				Pat	ents		
CLAIM LIMITATION	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
member, wherein said inner tubular member moves from said first position to said second position.					_	- Company of the Comp						

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					PRIO	RART	PRIOR ART REFERENCES	CES			**************************************	
		in too	rinted P	Printed Publications					Da	Dafante		
	(E) (E)	1	(4)						La	CILIS		
CLAIM LIMITATION	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(j) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
								,				
33. A float equipment assembly for lowering					Y CTY	IMS 33 1	CLAIMS 33 THROUGH 42	42			***************************************	
a tubular string from a surface position into a wellbore, said assembly comprising:					Preambi	e is not a	Preamble is not a claim limitation.	tation.				
an outer tubular affixed to said tubular string;	>	1	1	1	>	1	7	7	1	>	7	>
a first flapper valve body mounted within said outer tubular,	1	>	7	>	7	1	>	1	7	1	>	
said first flapper valve body defining a first bore therethrough;	1	7	1	7	1	>	1	>	7	>	>	
a first flapper closure element pivotally mounted to said first flapper valve body for pivotal movement between an open position and a closed position,	\ <u></u>	7	>	>	>	>	7	7		>	7	The published and the STR Annual Contact and Annual
said first flapper closure element being selectively operable between an auto-fill mode and a back pressure mode,	1	-	1	>	>	>	>			>	>	
in said auto-fill mode said first flapper closure element being secured in said open position to permit fluid flow through said first bore in a direction toward said surface position and also to permit fluid flow in a direction away from said surface position,	>	> .	>	>	. >	>	>			Mary Control	>	MARIANT SAN DE MINISTER MARIANT DE L'ANGEL L'ANNE L

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TABLE

					PRIC	OR ART	REFEREN	ICES				
]	Printed Po	ublications					Pa	tents		
CLAIM LIMITATION	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
in said back pressure mode said first flapper closure element being pivotally moveable between said open position and said closed position responsively to fluid flow direction and being mounted to thereby prevent fluid flow through said first bore in said direction toward said surface position and to permit fluid flow in said direction away from said surface position;	V	1	1	1	1		1			1	1	
a second flapper valve body mounted within said outer tubular,	V	1	1	1	. 1	and the second s		√	V	1		
said second flapper valve body defining a second bore therethrough;	. 1	√.	1	1	1			1	1	1	-	
a second flapper closure element pivotally mounted to said second flapper valve body for pivotal movement between an open position and a closed position,	1	1	1	1	√.			√.		1	•	
said second flapper closure element being selectively operable between said auto-fill mode and said back pressure mode,	1	1	1	1	1	-				1		
in said auto-fill mode said second flapper closure element being secured in said open position to permit fluid flow through said second bore in said direction toward said surface position and also to permit fluid flow in said direction away from said surface position,	√	1	1	1	1	-				1	•	

TABLE

					PRIC	RARTE	PRIOR ART REFERENCES	ICES				
		*	rinted Pu	Printed Publications					Par	Patents		
CLAIM LIMITATION	(1)-(2)	(3)	(4)	(5)	9)	8	(8)	6)	(10)	(11)-(12)	(13)	(14).
	Head et al.	Baker	A B	Taylor Made	HPI	Trico	Holden	Moyes	Leeb et al.	Allamon et al.	Watkins et al.	(E)
in said back pressure mode said second												
flapper closure element being pivotally												<u>genzen wa</u>
moveable between said open position and						ANTONIO						WERNING.
said closed position responsively to fluid						unnumu	•					
flow direction and being mounted to	>		_	`						_		Managa
thereby prevent fluid flow through said		>	<i>></i>	>	>	MONTH NO.				>		and Prompted
second bore in said direction toward said												
surface position and to permit fluid flow in	,											*****
said direction away from said surface					***************************************	odraju krav ijakom						on,umenyri¢
position; and				,	,							SA-CHILLIANS
an inner tubular having an inner tubular flow	1	- /	1	,			,	`	,		,	,
path therethrough,	>	>	>	>	>	>	>	*	7	>	7	>
said inner tubular being initially securable at a		i										
first axial position with respect to said outer												
tubular, in said first axial position said		•			.*	A1-11					ede-off-ettren	<u>Ricking and</u>
inner tubular being mounted to extend		•			•						***************************************	etorista
simultaneously through both said first bore	_	1		1				-				e production de la constantia della cons
and said second bore to thereby secure said	>	> .	>	>	>					>		Conscionation
first flapper closure element in said open	,											** Automotive
position for operation in said auto-fill mode						1.1						y m xuy
and to secure said second flapper closure											~~~	**********
element in said open position for operation			. •				-,,			•	-	CHASS (*)
in said auto-fill mode,		•										····
said inner tubular being axially moveable	·											
from said first axial position away from	vol ossalam											Server Sandara
said first flapper valve body and said	3	- Western				estator, i				······································		
second flapper valve body to thereby	\ \	`	_	•		-						o Convey co
release said first flapper closure element for	,	>	>	>	>					>	-	******
operation in said back pressure mode and			-			*****						***************************************
also to release said second flapper element	,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		-		decent publica						
for operation in said back pressure mode.										-		m roes ars
AND THE PARTY OF T										,		

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						OR ART	REFEREN	ICES				
]	Printed P	ublications					Pa	tents		
CLAIM LIMITATION	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
34. The assembly of claim 33, comprising: a drop member receptacle mounted to said inner tubular,	1	1	1	V	1	1	V		1	√		√
said drop member receptacle being operable for catching a drop member,	1	1	1	1	1	1	1		√	1		1
said drop member receptacle being positioned to restrict fluid flow through said inner tubular flow path when said drop member is caught in said drop member receptacle.	1	✓	1	V	1	V	√		1	1	A CONTRACTOR OF THE CONTRACTOR	√
35. The assembly of claim 34, further comprising: at least one mounting member for securing said inner tubular in said first axial position, said at least one mounting member being responsive to a first selected fluid pressure to release said inner tubular when said drop member is caught in said drop member receptacle.	1	1	1	1	1	√	1	-				
36. The assembly of claim 35, wherein said at least one release [sic] member is breakable in response to said first selected fluid pressure.	1	1	1	1	1	1	1					·
37. The assembly of claim 35, further comprising: a fluid pressure-operated tool mountable to said tubular string for operation at a second selected fluid pressure, said second selected fluid pressure being different than said first selected fluid pressure.	✓	1	1	1	1	1	1				The state of the s	,
38. The assembly of claim 37, wherein said second selected fluid pressure is less than said first selected fluid pressure.	√	1	1	1	V	1	V					

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					PRIO	RARTE	PRIOR ART REFERENCES	CES				
		,,,,,,	Printed Pr	Printed Publications					Pat	Patente	THE PERSONNEL PROPERTY OF THE PERSONNEL PROP	
CLAIM LIMITATION	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	a mo	2) (13) n Watkins et al.	(14)-
39. The assembly of claim 34, wherein said inner tubular flow path has a sufficient internal diameter to permit a drop member having an outer diameter which is less than the internal diameter of the inner tubular, to have into said inner tubular flow path.	7	>	7		>		>					>
40. The assembly of claim 33, wherein each of said first flapper valve body, said first flapper closure element, said second flapper valve body, second flapper closure element are comprised of a drillable material.	>	>	>	>	``	7	1				-	
					•							

WDE 0013208

TABLE

					PRI	OR ART	REFEREN	ICES			
]	Printed P	ublications	3				Pa	tents	
CLAIM LIMITATION	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	 (14)- (18)
41. The assembly of claim 33, wherein a portion of said outer tubular has an axial length in which is contained each of said first flapper valve body, said first flapper closure element, said second flapper valve body, said second flapper closure element, and said inner tubular when mounted at said first axial position, said outer tubular within said axial length comprising a cylindrical wall structure with no apertures or uncoverable apertures therein that permit fluid flow from inside of said outer tubular.	1	√	1	1	√					1	
42. The assembly of claim 33, further comprising: at least one shoulder formed on said outer tubular for engaging and supporting at least tubular. [sic]			Claim la	inguage lac	cks proper	anteceder	nt basis and	i is incapai	ble of con	struction.	

TABLE

CLAIM LIMITATION (1)-(2) (3) (4) (5) (6) (7) (8) (9) (10) (11)-(13) (13) (14)-(14) (14)-(14)-(14)-(14)-(14)-(14)-(14)-(14)-						PRIO	RARTE	PRIOR ART REFERENCES	CES				
(1)-(2) (3) (4) (5) (6) (7) (8) (10) (11)-(12) (13) Head Baker BP Taylor HPI Trico Holden Moyes Leeb Atlamon Watkins et al. CLAIMS 43 THROUGH 53			<u> </u>	rinted Pr	plications) G	The same of the sa		
(1)-(2) (3) (4) (5) (6) (7) (8) (9) (10) (11)-(12) (13)			ı	T INTER Y	DECALORS					ra.	ents		
Ifor CLAIMS 43 THROUGH 53 Ifor Preamble is not a claim limitation.	CLAIM LIMITATION	(1)-(2) Head	(3) Baker	₩ ₩	(5) Taylor	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb	(11)-(12) Allamon	(13) Watkins	(14)- (18)
ing were the formal and we have a second and we hav		. R 13			wade					et al.	et al.	et aj.	
ing v v v v v v v v v v v v v v v v v v v						CLA	IMS 43 T	HROUGH	53				
a bore, in a float equipment tubular attacked to said ubular string: covering said bore of said blumality of flapper valves, having a bore, in a float equipment tubular string: covering said bore of said blumality of flapper valves by extending an inner tubular string with said float equipment tubular string with said float equipment tubular string with said float inner tubular string through said inner tubular string through said inner tubular, and removing said inner tubular from said a float float so direction of fluid flow away from said surface position and to close in response to a direction of fluid flow away from said surface position and to close in response to a direction of fluid flow wowards said surface position. 44. The method of claim 43, wherein said string further further comprises: pumping a drop member into said tubular.	43. A method for running a tubular string from a surface position into a wellbore and for cementing said tubular string within said wellbore, said method comprising:			·		Preamb	le is not a	claim limi	tation.		3000 CT 1000 C		
covering said bore of said plurality of flapper valves by extending an inner tubular tubular tubular tubular tubular tubular and float equipment tubular into the wellbore such that the wellbore liuid flows inwardy into said tubular string through said inner tubular flom said tubular such the said inner tubular flom said tubular such said inner tubular flom said believed to thereby open in response to a direction of fluid flow away from said surface position and to close in response to a direction of fluid flow away from said surface position. 44. The method of claim 43, wherein said stream and to close in response to a direction of fluid flow away from said surface position. 44. The method of claim 43, wherein said stream and tubular further comparises: pumping a drop member into said tubular.	mounting a plurality of flapper valves, having a bore, in a float equipment tubular attached to said tubular string;	7	>	>	7	>	ONLY NAME OF THE PARTY OF THE P		>	7	>		
valves by extending an inner tubular thoular thoular thoular tubular string with said float equipment tubular string with said float equipment tubular into the wellbore such that the wellbore fluid flows inwardly into said tubular string through said inner tubular from said equipment tubular from said plurality of flapper valves such that said plurality of flapper valves such that said flow in response to a direction of fluid flow away from said surface position and to close in resonate or a direction of fluid flow away from said surface position and to close in response to a direction of fluid flow away from said surface position. 44. The method of claim 43, wherein said step of removing said tubular further comprises: pumping a drop member into said tubular.	covering said bore of said plurality of flanner												
running said tubular string with said float equipment tubular into the wellbore such that the wellbore luid flows inwardly into said tubular string through said inner tubular string through said inner tubular string through said inner tubular said inner tubular from said plurality of flapper valves such that said flapper valves are pivotal to thereby open in response to a direction of fluid flow away from said surface position and to close in response to a direction of fluid flow towards said surface position. 44. The method of claim 43, wherein said step of temoving said tubular further comprises: pumping a drop member into said tubular.	valves by extending an inner tubular through all of said plurality of flapper valves;	>.	>	1	,	>					>	P. (1994)	
saro thoutar string through said inner tubular, and removing said inner tubular, and removing said inner tubular from said plurality of flapper valves such that said flapper valves are pivotal to thereby open in response to a direction of fluid flow away from said surface position and to close in response to a direction of fluid flow towards said surface position. 44. The method of claim 43, wherein said step of removing said tubular further comprises: pumpling a drop member into said tubular.	running said tubular string with said float equipment tubular into the wellbore such that the wellbore fluid flows inwardly into	>	>	7	>	>	>	1	1	>	>		
removing said inner tubular from said plurality of flapper valves such that said flapper valves are pivotal to thereby open in response to a direction of fluid flow away from said surface position. 44. The method of claim 43, wherein said step of removing said tubular further comparises: pumping a drop member into said tubular.	said tubular string through said inner tubular; and	, and the second second									:		
flapper valves are pivotal to thereby open in response to a direction of fluid flow away from said surface position and to close in response to a direction of fluid flow towards said surface position. 44. The method of claim 43, wherein said step of removing said tubular further comprises: pumping a drop member into said tubular.	removing said inner tubular from said plurality of flapper valves such that said					·							
away from said surface position and to close in response to a direction of fluid flow towards said surface position. 44. The method of claim 43, wherein said step of removing said tubular further comprises: pumping a drop member into said tubular.	flapper valves are pivotal to thereby open in response to a direction of fluid flow	>	`.	/	,		Mentengangakat abadan					Page and the American State of	
flow towards said surface position. 44. The method of claim 43, wherein said step of removing said tubular further comprises: pumping a drop member into said tubular.	away from said surface position and to		> '	>	>	> .				>	~		
44. The method of claim 43, wherein said step of removing said tubular further comprises: pumping a drop member into said tubular.	close in response to a direction of fluid flow towards said surface position.	economic company	***************************************										
step of removing said tubular further to the said tubular further tubular.	44. The method of claim 43, wherein said						-						
comprises: pumping a drop member into said tubular.	step of removing said tubular further	>	>		\ <u>\</u>	` `	1	\		\	1/8		\
	comprises: pumping a drop member into said tubular.			>		>	>	>		>	>	•••••	>

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TABLE

			***************************************		PRI	OR ART	REFEREN	CES			·	······································
			Printed P	ublications	S			,	Pa	tents	**************************************	
CLAIM LIMITATION	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
45. The method of claim 44, further comprising: seating said drop member in said tubular, and utilizing a fluid pressure acting on said drop member to remove said tubular from said plurality of flapper valves.	1	1	1	2 1	1			-	√.			
46. The method of claim 45, further comprising: breaking a breakable member.	V	1	1	V.	V	1	1					
47. The method of claim 43, further comprising: providing said drop member with a diameter of at least two inches.			1			7				Transition of the second of th	•	
48. The method of claim 43, further comprising: forming said plurality of flapper valves from a drillable material.	√	1	1	1	V	1	V				·	-
49. The method of claim 43, further comprising: providing said plurality of flapper valves with an outer diameter substantially equal to an inner diameter of said float equipment tubular such that said outer diameter of said flapper valves engages said inner diameter of said float equipment.	1	√	V	✓	V			1	e de la companya de l	√		•
50. The method of claim 49, further comprising: providing a shoulder in said float equipment tubular for securing said plurality of flapper valves in position therein.	√	1	1	1	1			1	1	1		
51. The method of claim 43, further comprising: providing each of said plurality of flapper valves with a bore greater than two inches in diameter, and		√	1					The state of the s	,	1	:	•

TABLE

					PRIC	R ART F	PRIOR ART REFERENCES	CES		describentation of the Albert of	-	
		F	rinted Pr	Printed Publications					Pat	Patents		
CLAIM LIMITATION	(1)-(2) Head et al.	(3) Baker	(4) BP	(5) Taylor Made	(6) HPI	(7) Trico	(8) Holden	(9) Moyes	(10) Leeb et al.	(11)-(12) Allamon et al.	(13) Watkins et al.	(14)- (18)
providing that said tubular extending through												
said plurality of flapper valves has a tubular						PMONEY-Code				, ,		
bore with an inner diameter greater than		>	>			MD BANKS				>		
two inches and an outer diameter less than		,										
said bore of said plurality of flapper valves.												
52. The method of claim 43, further		-										
comprising: sealing off said plurality of		.; .;	,	,	, ,							
flapper valves utilizing said tubular and at		1	1	\ <u>`</u>	1			`		`		, -,,21
least one seal between said tubular and said		>	•		>			>		>		
float equipment tubular.					,							
53. The method of claim 43, further	•											
comprising: providing an opening through	>	•							_	•		
said plurality of flapper valves sized to reduce	• ,	>	>	>	>			>	>	>		
surge pressure.	. !	· · · ;										

TABLE

					PRIC	PRIOR ART REFERENCES	EFEREN	CES				
			Printed P	Printed Publications					Pa	Patents		
CLAIM LIMITATION	(1)-(2)	(3)	(4)	(5)	(9)	(<u>a</u>)	89	6)	(10)	(11)-(12)	(13)	(4):
	Head et al.	Baker		Taylor Made	Ē.	Trico	Holden	Moyes	Leeb et al.	Allamon et al.	Watkins et al.	(18)
						CLAIM 54	vi 54					
54. Well equipment operable for use in lowering a tubular string into a wellbore, said well equipment comprising:					Preamb	Preamble is not a claim limitation	claim limi	ation				
a moveable member;	ß	7	>	1	>	>	>	7	7	>	>	>
one or more valves,	ß	1	>	7	1	7	7	>	7	>	>	
said moveable member being operable for activating said one or more valves for controlling fluid flow through said tubular string; and	1	7	7	1	7	1	-	>	>	>	>	
a drop member mounted adjacent to said moveable member,			1			1			**	>		
said drop member being operable in response to fluid pressure for engaging said moveable member.	1	1	1	1	V	7	7		A	7	-	

VII. THE PRIOR ART REFERENCES DETAILED ABOVE PRESENT SUBSTANTIAL NEW QUESTIONS OF PATENTABILITY

A. Prior Art References (1) through (8) and (10) through (13) Anticipate Independent Claims 1, 14, 33, 43, and 54 of the '336 Patent

Requester has clearly shown that Prior Art References (1) through (8) and (10) through (13) disclose each and every element of independent claims 1, 14, 33, 43, and 54 of the '336 patent. Several of these references were not disclosed with Patentee's reexamination request at all, and several other of these references were disclosed with Patentee's reexamination request but were inaccurately characterized.

With respect to independent claim 1, Prior Art References (1) through (8) and (10) through (13) each disclose an outer tubular member having an open lower end; an inner tubular member moveable between a first position and a second position, and within the outer tubular member in the first position; one or more valve(s) positioned between the outer tubular member and inner tubular member when the inner tubular member is in the first position; and the valve(s) being insulated from fluid flow in the first position and being selectively engageable with fluid flow in the second position.

With respect to independent claim 14, Prior Art References (1) through (8) and (11) through (13) each disclose sealing off one or more valve(s) from fluid flow through a tubular string such that the valve(s) are held in an open position; selectively uncovering the valve(s) for controlling fluid flow through the tubular string; providing an inner tubular member moveable between a first position and a second position; and providing an outer tubular member having an open lower end wherein the moveable inner tubular member is mounted to block fluid flow through the open lower end in the second position.

With respect to independent claim 33, Prior Art References (1) through (6) and (11) through (12) each disclose an outer tubular affixed to a tubular string; first and second flapper valve bodies mounted within the outer tubular and defining a first and second bores, respectively; and first and second flapper closure elements pivotally mounted to the first and second flapper valve bodies, respectively, for movement between open and closed positions and selectively operable between an auto-fill mode and a back pressure mode. Additionally, Prior Art References (1) through (6) and (11) through (12) each disclose an auto-fill mode in which the flapper closure elements are secured in the open position to permit fluid flow in directions both DM_US\8215\206.v1

Request for Reexamination of U.S. Patent No. 6,679,336 Auy. Ref.: 13137.0230.RXUS toward and away from the surface, and a back pressure mode in which the flapper closure elements are pivotally moveable between open and closed positions responsively to fluid flow direction and are mounted to prevent fluid flow in a direction toward the surface and to permit fluid flow in a direction away from the surface. Finally, Prior Art References (1) through (6) and (11) through (12) each disclose an inner tubular that is initially securable at a first position in which it is mounted to extend simultaneously through both the first and second bores to thereby secure the first and second flapper closure elements in the open position for operation in the auto-fill mode, and that is axially moveable from the first position away from the first and second flapper valve bodies to thereby release the first and second flapper closure elements for operation in the back pressure mode.

With respect to independent claim 43, Prior Art References (1) through (6) and (11) through (12) each disclose mounting a plurality of flapper valves, having a bore, in a float equipment tubular attached to a tubular string; covering the bore by extending an inner tubular through all of the plurality of flapper valves; running the tubular string with float equipment tubular into the wellbore such that wellbore fluid flows inwardly into the tubular string through the inner tubular; and removing the inner tubular from the plurality of flapper valves such that the flapper valves are pivotal to open in response to a direction of fluid flow away from the surface and to close in response to a direction of fluid flow toward the surface.

With respect to independent claim 54, Prior Art References (4), (7), and (11) through (12) each disclose one or more valve(s), a moveable member that is operable for activating the valve(s) for controlling fluid flow through a tubular string; and a drop member mounted adjacent to the moveable member and operable in response to fluid pressure for engaging the moveable member.⁴

Accordingly, Prior Art References (1) through (8) and (10) through (13) anticipate independent claims 1, 14, 33, 43, and 54 of the '336 patent.

⁴ At the preliminary injunction stage of litigation, the district court found that the accused infringers had raised substantial questions as to the validity of claim 54 over references that included Prior Art References (3) through (7). (Ex. E (Order Denying Motion for Preliminary Injunction) at 3-4.) (Prior Art References (11) and (12) were not raised by the litigants or considered by the district court at that time.) While Requester acknowledges that the court's conclusion is not binding on the PTO, the Examiner is respectfully urged to consider the court's order, particularly given that the Patentee's arguments in its reexamination request substantially mirror the arguments it presented unsuccessfully in the preliminary injunction proceedings.

B. Prior Art References (1) through (8) and (10) through (13) Anticipate Dependent Claims 2 through 7, 15 through 18, 34 through 42, and 44 through 53 of the '336 Patent

Requester has also clearly shown that Prior Art References (1) through (8) and (10) through (13) disclose each and every element of dependent claims 2 through 7, 15 through 18, 34 through 42, and 44 through 53 of the '336 patent. Several of these references were not disclosed with Patentee's reexamination request at all, and several other of these references were disclosed with Patentee's reexamination request but were inaccurately characterized.

With respect to dependent claims 2 and 3, Prior Art References (1) through (8) and (10) through (13) each disclose one or more valve seat(s) positioned between the outer tubular member and inner tubular member, wherein the inner tubular member is moveable from the first to second position for uncovering the valve(s) and valve seat(s). With respect to dependent claim 4, Prior Art Reference (10) discloses an outer tubular member that defines one or more passageway(s) therethrough, which are blocked by the inner tubular member in the first position, and which are opened to permit fluid flow from within the tubular string to outside of the tubular string when the inner tubular member is moved from the first to second position. With respect to dependent claim 5, Prior Art References (1) through (8) and (10) through (12) disclose a seat secured to the inner tubular member for receiving a drop member. With respect to dependent claim 6, Prior Art References (1) through (6) and (10) through (12) each disclose a plurality of flapper valves. And with respect to dependent claim 7, Prior Art References (1) through (8) and (11) through (13) each disclose one or more valve(s) held in an open position when the inner tubular member is in the first position.

With respect to dependent claim 15, Prior Art References (1) through (8) and (11) through (12) each disclose selectively uncovering valve(s) by dropping a member into the tubular string. With respect to dependent claim 16, Prior Art References (1) through (8) and (11) through (13) each disclose selectively closing one or more passageway(s) between the inside of the tubular string and the outside of the tubular string (for example, by way of an activated flapper valve). With respect to dependent claims 17 and 18, Prior Art References (4), (7), and (11) through (12) each disclose providing a drop member mounted adjacent to the inner tubular member; providing at least one release member breakable in response to a selected fluid pressure; utilizing a selected fluid pressure acting on the drop member to break the release

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Request for Reexamination of U.S. Patent No. 6,679,336 Atty. Ref.: 13137.0230.RXUS member, wherein the drop member is seated in the inner tubular member; and utilizing a second fluid pressure acting on the drop member to engage the inner tubular member to move it from the first to second position.

With respect to dependent claim 34, Prior Art References (1) through (6) and (11) through (12) each disclose a drop member receptacle mounted to the inner tubular that is operable for catching a drop member and that is positioned to restrict fluid flow through the inner tubular when the drop member is caught. With respect to dependent claims 35 through 38, Prior Art References (1) through (6) each disclose at least one mounting member for securing the inner tubular in the first position that is responsive to a first selected fluid pressure to release the inner tubular when the drop member is caught in the drop member receptacle; a release member breakable in response to the first selected fluid pressure; and a fluid pressure-operated tool mountable to the tubular string for operation at a second selected fluid pressure that is different and less than the first selected fluid pressure. With respect to dependent claim 39, Prior Art References (1) through (6) each disclose an inner tubular flow path with sufficient internal diameter to permit a drop member having an outer diameter less than the internal diameter of the inner tubular to move into the inner tubular flow path. With respect to dependent claim 40, Prior Art References (1) through (6) each disclose first and second flapper valve bodies and first and second flapper closure elements comprised of a drillable material: Prior Art References (1) and (2) explicitly, and Prior Art References (3) through (6) by functional implication. With respect to dependent claim 41, Prior Art References (1) through (6) and (11) through (12) each disclose the outer tubular comprising a cylindrical wall structure with no apertures or uncoverable apertures that permit fluid flow from inside to outside of the outer tubular within an axial length containing the first and second flapper valve bodies, first and second flapper closure elements. and inner tubular when mounted at the first position. Finally, claim 42 lacks proper antecedent basis for the term "at least tubular" and therefore is incapable of construction.

With respect to dependent claim 44, Prior Art References (1) through (6) and (11) through (12) each disclose pumping a drop member into a tubular member. With respect to dependent claims 45 and 46, Prior Art References (1) through (6) each disclose seating a drop member in a tubular and utilizing fluid pressure acting on the drop member to remove the tubular from a plurality of flapper valves, as well as breaking a breakable member. With respect to dependent claim 47, Prior Art Reference (4) discloses providing a drop member with a diameter DM_USN8215206.v1

Request for Reexamination of U.S. Patent No. 6,679,336 Atty. Ref.: 13137.0230.RXUS

of any size including a diameter of at least two inches. With respect to dependent claim 48, Prior Art References (1) through (6) each disclose flapper valve bodies and flapper closure elements comprised of a drillable material; Prior Art References (1) and (2) explicitly, and Prior Art References (3) through (6) by functional implication. With respect to dependent claims 49 and 50, Prior Art References (1) through (6) and (11) through (12) each disclose providing the plurality of flapper valves with an outer diameter substantially equal to an inner diameter of the float equipment tubular such that the outer diameter of the flapper valves engages the inner diameter of the float equipment, and providing a shoulder in the float equipment tubular for securing the plurality of flapper valves in position therein. With respect to dependent claim 51, Prior Art References (11) and (12) explicitly and (3) and (4) implicitly disclose providing each of the plurality of flapper valves with a bore greater than two inches in diameter, and providing the tubular extending through the plurality of flapper valves with a tubular bore having an inner diameter greater than two inches and an outer diameter less than the bore of the plurality of flapper valves.⁵ With respect to dependent claim 52, Prior Art References (3) through (6) and (11) through (12) each disclose sealing off the plurality of flapper valves utilizing a tubular and at least one seal between the tubular and the float equipment tubular. Finally, with respect to dependent claim 53, Prior Art References (1) through (6) and (11) through (12) each disclose providing an opening through the plurality of flapper valves sized to reduce surge pressure.

Accordingly, Prior Art References (1) through (8) and (10) through (13) anticipate dependent claims 2 through 7, 15 through 18, 34 through 42, and 44 through 53 of the '336 patent.

⁵ At the preliminary injunction stage of litigation, the district court found that the accused infringers had raised substantial questions as to the validity of claim 51 over references that included Prior Art References (3) through (7). (Ex. E (Order Denying Motion for Preliminary Injunction) at 3-4.) (Prior Art References (11) and (12) were not raised by the litigants or considered by the district court at that time.) While Requester acknowledges that this conclusion is not binding on the PTO, the Examiner is respectfully urged to consider the court's order, particularly given that the Patentee's arguments in its reexamination request substantially mirror the arguments it presented unsuccessfully in the preliminary injunction proceedings.

C. Other Prior Art References, Including but Not Limited to Prior Art References (7) through (9) and (13) Through (18), Render Obvious Various Claims of the '336 Patent in View of the Anticipating Prior Art

Other Prior Art References also render obvious various dependent claims of the '336 patent in view of the anticipating Prior Art References discussed above, as detailed in the TABLE of Section VI.B. For example, with the exception of multiple flapper valves, Prior Art References (7), (8), and (13) disclose each and every essential element of the apparatus and method claimed in the '336 patent. Further, with the exception of flapper valves, Prior Art References (14) through (18) disclose each and every element of the apparatus and method claimed in dependent claims 4 and 16 of the '336 patent. Additionally, Prior Art Reference (9) discloses a tool extremely similar to the apparatus claimed in the '336 patent, the only difference being that the operational sequence disclosed is essentially reversed from the operation of the apparatus of claims 1-7, 14-18, and 33-54.

Accordingly, other prior art references, including but not limited to Prior Art References (7) through (9) and (13) through (18), render obvious claims 1-7, 14-18, and 33-54 of the '336 patent in view of the anticipating Prior Art References discussed above.

In view of the foregoing observations, Requester respectfully submits that the cited references present substantial new questions of patentability for claims 1-7, 14-18, and 33-54 of the '336 patent. Reexamination of all claims in view of the cited references is therefore

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Date: June 13, 2005

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Respectfully submitted,

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CERTIFICATE OF E	XPRESS MAILII	NG
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NUMBER <u>EL 381853938</u>
DATE OF DEPOSIT <u>June 13, 2005</u>

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service *EXPRESS MAIL POST OFFICE TO ADDRESSEE* service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Mail Stop Ex Parte Reexamination, Commissioner for Patents, P.O. Box 1450, Alexandra NA 22313-1450.

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